

REMARKS

Claims 82, 85-97, 100-111, and 113-117 are pending in the application, with claims 82 and 97 being independent. Claims 82 and 97 have been amended, and claims 83, 84, 98 and 99 have been canceled. Applicants reserve the right to pursue claims 112 and 118-126 at a later date either in this application or in a continuing application.

Applicants respectfully request entry of the amendments to the claims because they do not present any new issues that require further search and consideration. In particular, independent claim 82 has been amended to its previous version prior to entry of the amendment filed by applicants on March 1, 2005. Independent claim 82 has been further amended to incorporate the limitations of its dependent claims 83 and 84, which have been canceled. Accordingly, applicants submit that the amendment of claim 82 should be entered because claim 82, in its amended form, has already been considered by the Examiner.

Similarly, independent claim 97 has been amended to its previous version prior to entry of the amendment filed by applicants on March 1, 2005. Independent claim 97 has been further amended to incorporate the limitations of its dependent claims 98 and 99, which have been canceled. Accordingly, claim 97, like claim 82, in its amended form, has already been considered by the Examiner, and, therefore, applicants request entry of the amendment of claim 97.

Independent claims 82 and 97, and their dependent claims 85-96, 100-111 and 113-117, have been rejected as failing to comply with the written description requirement. In particular, the Examiner asserts that the specification and drawings fail to support the feature "designating a content source ... independent of a profile of the user." Applicants have amended claims 82 and 97 to no longer recite this feature, and, therefore, applicants request reconsideration and withdrawal of this rejection.

Independent claims 82 and 97, and their dependent claims 85-89, 100-104 and 113-115, have been rejected as being anticipated by Boyer (U.S. Patent Application Publication No. 2004/0128686). Applicants respectfully request withdrawal of this rejection.

Independent claim 82, as amended, is directed to a method of presenting content and recites, among other features and after incorporating the "wherein" clauses, "determining a local day-part appropriate for [a] geographic location [for a user]" (emphasis added), "designating a

broadcast network from among the two or more broadcast networks based upon the determined local day-part" (emphasis added), and "configuring a content display to feature content from the designated broadcast network over content from other of the broadcast networks" (emphasis added). Boyer fails to describe or suggest at least these features of claim 82.

Boyer describes an Internet television program guide system that includes a video component that processes television signals and a multimedia component that processes television program guide data and related multimedia information into a television program guide page. (Boyer at ¶¶ 0010 to 0013). Boyer illustrates an EPG that is able to display programming content in a variety of ways. In particular, a user may select various EPG displays by selecting from among various options including a time option 210, a channel option 212, a category option 214, and a search option 216, as shown in Fig. 15 of Boyer. (Boyer at ¶ 0101)

User selection of the time option 210 results in display of the time page 218 shown in Fig. 16 of Boyer. The time page 218 presents a list of broadcast networks (e.g., KCBS, KNBC, and KABC) from top to bottom and programs broadcast by these broadcast networks by broadcast time from left to right. The list of broadcast networks displayed in the time page 218 remains the same irrespective of whether the programs broadcast by the broadcast networks are initially displayed by current time or by current day-part. (Boyer at ¶ 0102). The user is able to select navigation buttons 230 to view the programs broadcast by the broadcast networks during different day-parts, such as during the "morning," "afternoon," or "late nite." (Boyer at ¶ 0103). Notably, Boyer does not describe or suggest that selection of the different day-parts by the user designates one broadcast network over another broadcast network or causes the EPG to feature content from one broadcast network over content from another broadcast network. Rather, the list of broadcast networks remains the same irrespective of user-selection of different day-parts. User selection of different day-parts simply changes the program listings for each broadcast network. (Boyer at ¶ 0103).

Moreover, applicants do not agree with the Examiner's contention that user-selection of different day-parts may be equated with the recited feature "determining a local day-part appropriate for [a] geographic location [for the user]" (emphasis added). This feature requires that the geographic location of the user be a factor in determining the local day-part. Despite the Examiner's assertion, determining a local day-part through direct user selection or specification

of the day-part is not a determination that includes the geographic location of the user as a determining factor. Rather, the user is effectively stating the day-part of interest to him or her, without consequence to geographic location.

For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claim 82 and its dependent claims 85-89 and 113-115.

Independent claim 97 relates to a computer program that includes instructions for, among other features and after incorporating the "wherein" clauses, "determining a local day-part appropriate for [a] geographic location [for a user]" (emphasis added), "designating a broadcast network from among the two or more broadcast networks based upon the determined local day-part" (emphasis added), and "configuring a content display to feature content from the designated broadcast network over content from other of the broadcast networks" (emphasis added). For at least the reasons discussed above with respect to claim 82, independent claim 97, and its dependent claims 100-104, are patentable over Boyer.

Claims 90-96 and 105-111 have been rejected under 35 U.S.C. § 103(a) as being obvious over Boyer in view of Alexander (U.S. Patent No. 6,177,931). Applicants respectfully request withdrawal of this rejection.

Claims 90-96 and 105-111 depend, respectively, from independent claims 82 and 97. Alexander does not remedy the deficiencies of Boyer discussed above with respect to claims 82 and 97. Alexander describes an electronic program guide (EPG) that uses user profile information of a viewer ("viewer profile information") in order to customize various aspects of the EPG. Viewer profile information is collected to create a user profile for a viewer ("viewer profile"). Col. 28, lines 10-21. For example, the viewer profile information may be collected from the viewer or may be collected by recording the interactions of the viewer with the EPG. Col. 28, line 12 to col. 29, line 11. Alexander describes customizing an EPG based on viewer profile information.

Alexander describes changing the order of channel slots presented in an EPG grid based on viewer profile information so as to present the viewer's favorite channels at the top/beginning of the grid guide in descending order, according to the viewer's profile. Col. 30, lines 53-58. For example, if the viewer profile indicates that the viewer frequently watches Nick at Nite on weekday evenings from 7 pm to 10 pm, then the EPG automatically tunes the television to the

appropriate Nick at Nite channel from 7 pm until 10 pm on weekday evenings and formats the grid guide to show the Nick at Nite channel as the first channel in the grid guide. Col. 30, lines 61-67. Notably, the changing of the order of the channels and the tuning to the favorite channel from another channel is not based on a day-part, such as "morning", "afternoon", or "prime time." Rather, the changing of the order and the tuning to the favorite channel is based on the current local time and a favorite channel, as determined for that time from past interactions by the user with the EPG. Alexander neither describes nor suggests that the order of channels/broadcast networks in the grid is determined based on a day-part, much less based on a day-part determined based on the geographic location of the user.

For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claims 90-96 and 105-111.

Claims 116 and 117 have been rejected under 35 U.S.C. § 103(a) as being obvious over Boyer in view of Alten (U.S. Patent No. 5,635,978). Applicants respectfully request withdrawal of this rejection.

Claims 116 and 117, depend from independent claim 82, and therefore, through their dependency, incorporate all of the limitations of independent claim 82. Alten fails to remedy the deficiencies of Boyer, as described above with respect to claim 82. In particular, Alten fails to describe or suggest at least (after incorporating the "wherein" clauses), "determining a local day-part appropriate for [a] geographic location [for a user]" (emphasis added), "designating a broadcast network from among the two or more broadcast networks based upon the determined local day-part" (emphasis added), and "configuring a content display to feature content from the designated broadcast network over content from other of the broadcast networks" (emphasis added). For at least these reasons, claims 116 and 117 are patentable over Boyer and Alten.

Applicants do not acquiesce to the characterizations of the art. For brevity and to advance prosecution, however, Applicants have not addressed all characterizations of the art, but reserve the right to do so in further prosecution of this or a subsequent application.

Applicants submit that all claims are in condition for allowance.

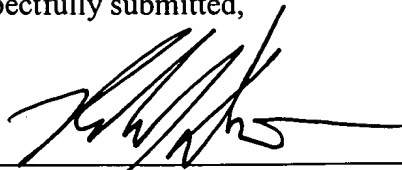
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